

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 JOSE LUIS LUNA,) No. C 02-4045 SBA (PR)
4 Petitioner,)
5 v.) **JUDGMENT**
6 ANTHONY LAMARQUE, Warden,)
7 Respondent.)

8 For the reasons set forth in this Court's Order signed today and pursuant to the Ninth Circuit's
9 mandate dated November 8, 2010, Petitioner is DENIED habeas corpus relief as to one count of a
10 lewd act on a minor; however, he is GRANTED habeas corpus relief as to the remaining counts. No
11 later than **sixty (60) days** from the date of this Order, the State shall release Petitioner because the
12 eight-year sentence for one count of a lewd act on a minor has been fully served, or it may elect to
13 commence proceedings as to the remaining counts. No later than **seventy (70) days** from the date of
14 this Order, the State is directed to file a report informing this Court whether Petitioner has been
15 released, or whether state court proceedings have commenced on the remaining counts.

16 IT IS SO ORDERED.
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18 DATED:11/16/10


19 SAUNDRA BROWN ARMSTRONG
20 United States District Judge
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